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**III. Remarks:****35 USC §102 Concerns:**

Examiner's Concerns: The examiner expressed concern as to claims 1-9, 23, 25, 33-43, 46, 52-53, 59-60, 66-69 and 108 under 35 USC §102(e).

Assignee's Response: In response to the examiner's concerns, the Assignee has canceled claims 1-9, 23, 25, 33-43, 46, 52-53, 59-60, 66-69 and 108 without prejudice. Assignee also notes that it has taken this opportunity to amend particular claims also for reasons relative to clarity of the subject matter description. It is not believed that such amendments constitute new matter.

The Assignee notes that all claims now remaining in the application (albeit in their form after the Assignee's reply to office action of January 10, 2007) were indicated as allowable subject matter in the April 12, 2007 office action.

Importantly, it should be understood that the amendments submitted herein are made as a matter of practicality only, and should not to be construed as creating any situation of file wrapper estoppel or the like as all rights are expressly reserved and may be pursued in this or other applications, such as divisionals, continuations, or continuations-in-part if desired. Amendments are made for tangential issues of clarity and as a matter of the Office's convenience or expedience only. The amendments should not be interpreted as an action that in any way surrenders a particular equivalency, surrenders any right to patent coverage, or otherwise limits any rights that the Applicant may now or hereafter assert. It should be understood that, unless and to the extent deemed broadened by this amendment, and even as amended, the Applicant expressly reserves all rights, including but not limited to: all rights to maintain the scope of literal coverage with respect to any element as may have existed under the language previously presented, all rights to maintain the scope of equivalency coverage as may have existed under the language previously presented, and all rights to re-present the prior language at

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any time in this or any subsequent application. To the extent currently foreseeable, no change or reduction in *direct or* equivalency coverage is believed to exist, and no change or reduction in *direct or* equivalency coverage is intended through the presentation of this amendment.

**IV. Conclusion:**

In the April 12, 2007 office action, the examiner expressed concern as to claims 1-9, 23, 25, 33-43, 46, 52-53, 59-60, 66-69 and 108 under 35 USC §102(e). In response, the Assignee has canceled such claims without prejudice. The Assignee requests that the Office amend the claims as requested and allow the case at its earliest convenience.

Dated this 12<sup>th</sup> day of July, 2007.

Respectfully submitted,

  
Alfred K. Wiedmann, Jr.  
PTO No. 48,033  
125 South Howes, Third Floor  
Fort Collins, Colorado 80522  
(970) 224-3100